

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SPOKANE RACEWAY PARK, INC.,
Plaintiff,

No. CV-07-396-FVS

V.

ORVILLE L. MOE, et al.

Defendant.

ORDER

THIS MATTER having come before the Court based upon a motion to dismiss for lack of prosecution; and the record reflecting that the appellant has, indeed, failed to prosecute his appeal in accordance with the Federal Rules of Bankruptcy Procedure; Now, therefore

IT IS HEREBY ORDERED:

1. The motion to dismiss (**Ct. Rec. 7**) is granted. The appeal is dismissed **without prejudice**.

2. The motion to dismiss (Ct. Rec. 13) is moot.

IT IS SO ORDERED. The District Court Executive is hereby directed to enter this order and furnish copies to counsel and **close** the file.

DATED this 16th day of April, 2008.

s/ Fred Van Sickle
Fred Van Sickle
United States District Judge